

SSB 5904 - S AMD 212
By Senator Brown

NOT ADOPTED 03/17/2003

1 Beginning on page 1, line 16, strike all of section 2 and insert
2 the following:

3 "NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW
4 to read as follows:

5 (1) To the extent funds are appropriated specifically for this
6 purpose, and subject to any conditions placed on appropriations made
7 for this purpose, the department shall design the medicaid prescription
8 drug assistance program. Neither the benefits of, nor eligibility for,
9 the program is considered to be an entitlement.

10 (2) The department is directed to obtain necessary federal waivers
11 to implement this program. Consistent with federal waiver conditions,
12 the department is authorized to charge enrollment fees, premiums, or
13 point-of-service cost-sharing to enrollees of the program.

14 (3) Eligibility for this program is limited to persons: (a) Who
15 are eligible for medicare or age sixty-five and older; (b) whose family
16 income does not exceed two hundred percent of the federal poverty level
17 as adjusted for family size and determined annually by the federal
18 department of health and human services; (c) who do not otherwise have
19 insurance that provides prescription drug coverage; and (d) who are not
20 otherwise eligible under Title XIX of the federal social security act.

21 (4) The department is authorized to use a cost-effective
22 prescription drug benefit design. Consistent with federal waiver
23 conditions, this benefit design can be different than the benefit
24 design offered under the medical assistance program. The benefit
25 design may include a deductible benefit that provides coverage when
26 enrollees incur higher prescription drug costs as defined by the
27 department. The department also may offer more than one benefit
28 design.

29 (5) The department is authorized to limit enrollment of persons who
30 qualify for the program so as to prevent an overexpenditure of

1 appropriations for this program or to assure necessary compliance with
2 federal waiver budget neutrality requirements. The department shall
3 not reduce existing medical assistance program eligibility or benefits
4 to assure compliance with federal waiver budget neutrality
5 requirements.

6 (6) No funds from an approved federal waiver that allows for the
7 collection of premiums from medicaid clients will be used to finance
8 the medicaid prescription drug assistance program.

9 (7) This program will be terminated within twelve months after
10 implementation of a prescription drug benefit under Title XVIII of the
11 social security act.

12 (8) The department shall provide recommendations to the appropriate
13 committees of the senate and house of representatives by November 15,
14 2003, on financing options available to support the medicaid
15 prescription drug assistance program. In recommending financing
16 options, the department shall explore every opportunity to maximize
17 federal funding to support the program."

EFFECT: Directs DSHS to seek a waiver to establish a subsidized
prescription drug benefit.

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